

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

MICHAEL SMITH

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Case No. 3:06-cr-00031-WKW

ORDER

This case is before the Court on a letter motion for new trial (Doc. # 33) filed on September 15, 2006, by Michael Smith, # 187158, an inmate at Staton Correctional Facility. Richard (Cracker) Waldrop, defense counsel of record, has notified the Court that the Michael Smith who filed this motion is not the defendant in this matter. The Clerk is DIRECTED to remove this motion from the docket and to otherwise correct the docketing error.

DONE this the 26th day of September, 2006.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE